IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

MAGDA DE LA TORRE,

Plaintiff,

vs.

SA-22-CV-00253-JKP

DIRK BERRY, AKIN-PORTER

PRODUCE, INC., D/B/A AKIN &

PORTER PRODUCE;

Defendants.

ORDER

Before the Court is the above-styled cause of action, which was referred to the undersigned for all non-dispositive pretrial proceedings on March 20, 2022 [#2]. The Court held an Initial Pretrial Conference on June 7, 2022, at which all parties were present as represented by counsel. The record reflects that Defendant removed this case from state court on March 15, 2022, on the basis of diversity jurisdiction, after filing a general denial in state court. When an answer is filed prior to removal, a federal court may order the defendant to file an amended answer. *See* Fed. R. Civ. P. 81(c)(2). The pleading standards for answers filed in Texas court versus federal court differ significantly. Thus, the Court will therefore order Defendant to file an amended answer that comports with the Federal Rules of Civil Procedure.

IT IS THEREFORE ORDERED that Defendant file an amended answer that satisfies Federal Rule of Civil Procedure 8's pleading standard on or before **June 21, 2022**.

SIGNED this 7th day of June, 2022.

ELIZABETH S. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE